

Amendment/Response

Reply to Final Office Action of March 9, 2007

REMARKS/DISCUSSION OF ISSUES

Claims 1-9 are pending in this application, with claims 1, 4, and 7 being amended.

Rejections under 35 U.S.C. § 103(a)

Claims 1-9 are rejected under U.S.C. § 103(a) as being unpatentable over Prior Art Figures 1, 2, and 6 (hereinafter admitted prior art, or APA) in view of Lyons. The rejection of the claims, as amended, is respectfully traversed.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03. Applicants respectfully suggest that the claims, as amended, present limitations that are not taught or suggested by the prior art.

A brief recap of the invention might be useful here. A reticle SMIF pod generally consists of a dome and a cassette. After a reticle, or wafer, is placed on the cassette, the dome latched to the cassette. The reticle, safely snug inside the dome and cassette, can then be transported from place to place without fear of contamination or damage.

A problem arises should the dome not latch properly onto the cassette. If the dome is not latched properly, the dome can separate enough from the cassette to allow the reticle to slide out of its protective environment and become contaminated or damaged. The present invention was devised to solve this problem.

As the claims now state, the present invention is embodied in additional (secondary) engagement locations on the cassette, disposed between the primary engagement locations and a base of the cassette. Because the latch-keys on the dome are spring loaded, should the latch-key not engage properly with the primary engagement location, the latch-key on the dome will slide along the side of the cassette as the dome begins to separate from the cassette, and engage with the secondary engagement location, thus preventing the dome from completely disengaging from the cassette.

The prior art does not show such an arrangement. The additional engagement locations in Lyons are not disposed between the primary engagement locations and the base 12. Rather, in

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Lyons, the additional engagement locations are actually on the base 12, not between the base 12 and the primary engagement locations. The claimed invention is thus distinguished from Lyons.

In fact, it could be argued that Lyons does not show primary and secondary engagement locations, because none of the locations in Lyons are preferred. The different locations simply correspond to different preferences, and are used to adjust the interior size of the packing container. By contrast, the present invention depends on the primary locations for proper usage, and the secondary locations are provided only to provide a backup should the latching at the primary location somehow fail to complete.

It is also not the case with Lyons that one latchkey, should it fail to latch in its "primary" location, would then be able to then latch in its "secondary" location without all the other latchkeys also failing to latch in their "primary" location. The entire inner hollow member 12, which the examiner is using as a structure similar to the cassette in the claimed invention, has to move as one unit from one latched position to another. For this reason, the claims are amended to provide for the case when "a single one" of the latchkeys fails to latch with its corresponding primary engagement location, thus distinguishing the claimed invention from Lyons.

The Examiner stated in his analysis of claim 7 that the pod is inherently capable of preventing the cassette from completely disengaging from the dome if the latchkeys fail to engage the primary latchkey receivers, but has provided no reasoning as to why this would be the case. Applicants challenged this statement in their previous response, but the examiner did not respond.

Applicants continue to be perplexed by this bald statement, since it is precisely the failure of this supposed capability that is the reason for the claimed invention. As stated in paragraph [03] of the specification, "If the latchkeys fail to engage the cassette properly, there is a risk that the cassette will separate from the dome, thus allowing the cassette and reticle to fall to the ground resulting in damage and/or contamination of the reticle." The purpose of the claimed invention is to prevent this stated risk. The Examiner is again respectfully requested to provide some prior art showing that his statement relating to the "inherency" of the prior art is valid.

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Applicants do not believe that this "inherency" exists in the prior art; else they would not have devised the claimed invention.

In summary, the independent claims recite features and limitations not present in the prior art presented by the examiner. In addition, claim 7 does not have the inherent feature that the examiner asserts.

Claims 2-3, 5-6, and 8-9, being dependent upon and further defining independent claims 1, 4, and 7, respectively, should be allowable for that reason, as well as for the additional recitations they contain. Reconsideration of the rejection of claims 1-9 under U.S.C. § 103(a) is therefore respectfully requested.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated or by e-mail directed to Chris@PatentingServices.com.

Respectfully submitted,



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